

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )                                  4:10CR3052  
                                )  
v.                            )  
                                )                                  MEMORANDUM AND ORDER  
MY TAN CAO, DA VAN CAO, )  
                                )  
Defendants.                )

The government's counsel is not available for trial on August 1, 2011. After conferring with counsel for the parties, and upon the consent of both defendants, as stated through their counsel of record,

IT IS ORDERED:

- 1) The government's motion to continue, (filing no. 64), is granted.
- 2) The trial of this case is set to commence before the Honorable Richard G. Kopf at 9:00 a.m. on November 14, 2011, or as soon thereafter as the case may be called, for a duration of eight (8) trial days, in Courtroom 1, United States Courthouse, Lincoln, Nebraska. Jury selection will be held at commencement of trial.
- 3) Based upon the showing set forth in the government's motion and the representations of all counsel regarding their respective scheduling conflicts, and with the defendants' consent to not only continue the trial but also exclude the additional time between now and November 14, 2011 for the purposes of Speedy Trial Act computation, the Court further finds that the ends of justice will be served by continuing the trial; and that the purposes served by continuing the trial date in this case outweigh the interest of the defendant and the public in a speedy trial. Accordingly, the time between today's date and November 14, 2011 shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(7)(A).

July 8, 2011

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge